

Public Safety Officers' Benefit Program & Claim Process

For detailed information on the Public Safety Officers' Benefits Act, please visit the [PSOB Website](#).

The Public Safety Officers' Benefits Act of 1976, as amended, authorizes the Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, to pay a benefit to specified survivors of public safety officers found to have died as the direct and proximate result of a personal, traumatic injury involving external force sustained in the line of duty, and to claimant public safety officers found to have been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty.

On December 15, 2003, President Bush signed the Hometown Heroes Survivors Benefits Act. The law expands the Federal benefit to include heart attacks or strokes while engaged in nonroutine stressful or strenuous emergency response or strenuous physical activity. The law also includes deaths while still on duty after such duties or within 24 hours. The new law applies to deaths from December 15, 2003, forward and is not retroactive.

Due to the unprecedented loss of life by public safety officers on September 11, 2001, Congress increased the one time payment to \$250,000, retroactive for all eligible deaths on or after January 1, 2001. The payment is adjusted each year on October 1 to reflect the percentage of change in the Consumer Price Index. **As of October 1, 2010, the benefit amount is \$318,111.64.**

A public safety officer is defined to be any individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, police, corrections, probation, parole and judicial officer, firefighter, rescue squad member or ambulance crew member. Retroactive to September 11, 2001, chaplains are included in the definition of a public safety officer.

A public agency means an agency of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States, or any unit of State or local government. **Seasonal wildland firefighters are included in this definition.**

The death benefit is payable in a lump sum to the spouse and eligible children of a deceased public safety officer. One half of the benefit would be paid to the spouse, and one half of the benefit would be paid, in equal amounts, to the eligible children. Eligible children are defined as children 18 years of age or younger, children 19 through 22 years of age who are fulltime students, and children 19 years of age or over and incapable of self support because of a physical or mental disability.

The death benefit is payable to a qualified survivor of a Federal employee in addition to death benefits payable to the survivor from the Civil Service Retirement System, the Federal Employees Retirement System, and Department of Labor's Office of Workers' Compensation Program under subchapter I of chapter 81 of title 5, United States Code.

Amendments to the Act in 2002 changed the hierarchy for benefits. If there is no surviving spouse or children eligible for the benefit, the payment will go to the person designated in the most recently executed life insurance policy, if that person survives the fallen public safety officer. Previously, the parents of a fallen firefighter received the benefit if there were no surviving spouse or eligible children.

Recent Changes to PSOB

The PSOB Program provides a one-time financial benefit to the eligible survivors of public safety officers whose deaths are the direct and proximate result of a traumatic injury, heart attack or stroke sustained in the line of duty. The payment is adjusted each year on October 1 to reflect the percentage of change in the Consumer Price Index. **As of October 1, 2010, the benefit amount is \$318,111.64.**

The Hometown Heroes Survivors Benefits Act of 2003 amended the PSOB Act to include public safety officers who died in the line of duty as a direct and proximate result of a heart attack or stroke under certain conditions. This provision only covers deaths occurring on or after December 15, 2003.

The Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefits Act of 2002, retroactive to September 11, 2001, amended the PSOB Act of 1976 in the following ways:

- added chaplains to the definition of "public safety officers"
- defined chaplain as any individual serving as an officially recognized or designated member of a legally organized volunteer fire department or legally organized fire or police department who was responding to a fire, rescue, or police emergency
- stipulated that if the public safety officer had no surviving spouse or eligible children, the beneficiary would be the individual designated as the beneficiary on the officer's most recently executed life insurance policy. Prior to this change, parents were the next level of beneficiary if there were no spouse or eligible children.